

Notice of Allowability	Application No.	Applicant(s)	
	09/734,751	BARTELL ET AL.	
	Examiner	Art Unit	
	Seyed Azarian	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS**. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to fax inquiry filed 12/20/2004.
2. The allowed claim(s) is/are 7, 16 and 25-27, now renumbered as 1-5.
3. The drawings filed on 11 December 2000 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____. | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

4. Applicant's arguments, filed 12/16/2004, see page 6 through page 7, with respect to claims 7, 16 and 25-27, have been fully considered and are persuasive. The rejection of 103 (a) of claims 7, 16 and 25-27 has been withdrawn.
5. Claims 7, 16 and 25-27 are allowed.
6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (703) 306-5907. The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 7:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached at (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR.

Status information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Seyed Azarian
Patent Examiner
Group Art Unit 2625
December 20, 2004



BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Applicants Attorney (Leticia R. Block, Reg No. 50,167), on December 14, 2004, without traverse.
3. The application has amended as follows:

In the claims

AMENDMENT TO THE CLAIMS

Listing of Claims:

Claims 1– 6 (cancelled)

7. (currently amended) A computer implemented method for detecting pixel stutter, wherein the pixel stutter is when two or more adjacent pixels with the same intensity value, of a scanner comprising:

obtaining an image representing a plurality of pixels using said scanner; wherein said image has a plurality of rows and columns of pixels, wherein said scanner obtains said image row by row;

obtaining a measurement of pixel stutter in said image, wherein said measurement of pixel stutter is time correlated; wherein said measurement of pixel stutter is row stuttered pixel count;

obtaining a statistical distribution of pixel stutter; wherein said statistical distribution of pixel stutter is a measurement of non-time correlated pixel stutter in said image; and wherein said statistical distribution is measured by column stuttered pixel count; and;

determining whether said measurement is above what is expected from said statistical distribution; wherein said determining comprises comparing row stuttered pixel count and column stuttered pixel count; The method of Claim 6 wherein said comparing comprises calculating a ratio of said row and column stuttered pixel two counts.

Claims 8-15 (cancelled)

16. (currently amended) A computer software product for detecting pixel stutter, wherein the pixel stutter is when two or more adjacent pixels with the same intensity value, of a scanner comprising:

computer program code for obtaining an image representing a plurality of pixels using said scanner; wherein said image has a plurality of rows and columns of pixels, wherein said scanner obtains said image row by row;

computer program code for obtaining a measurement of pixel stutter in said image; wherein said measurement of pixel stutter is time correlated; and wherein said measurement of pixel stutter is row stuttered pixel count;

computer program code for obtaining a statistical distribution of pixel stutter; wherein said statistical distribution of pixel stutter is a measurement of non-time correlated pixel stutter in said image and wherein said statistical distribution is measured by column stuttered pixel count;

computer program code for determining whether said measurement is above what is expected from said statistical distribution; wherein said determining comprises computer program code for comparing row stuttered pixel count and column stuttered pixel count; The computer software product of claim 6 wherein said code for comparing comprises computer program code for calculating a ratio of said two row and column stuttered pixel counts;

a computer readable media for storing said codes.

Claims 17-24 (cancelled)

25. (currently amended) A system for detecting pixel stutter, wherein the pixel stutter is when two or more adjacent pixels with the same intensity value, of a scanner comprising:

a processor; and

a memory coupled to the processor, the memory capable of storing a plurality machine instructions that cause the processor to perform a plurality of logical steps when implemented by the processor, said logical steps including:

obtaining an image representing a plurality of pixels using said scanner; wherein said image has a plurality of rows and columns of pixels; wherein said scanner obtains said image row by row and;

obtaining a measurement of pixel stutter in said image; wherein said measurement of pixel stutter is time correlated; and wherein said measurement of pixel stutter is row stuttered pixel count;

obtaining a statistical distribution of pixel stutter; wherein said statistical distribution of pixel stutter is a measurement of non-time correlated pixel stutter in said image, and wherein said statistical distribution is measured by column stuttered pixel count; and

determining whether said measurement is above what is expected from said statistical distribution; wherein said determining comprises comparing row stuttered pixel count and column stuttered pixel count; The system of Claim 24 wherein said comparing comprises calculating a ratio of said row and column stuttered pixel two counts.

26. (original) The system of Claim 25 wherein said comparing comprises determining whether there is a statistical difference between said row and said column stuttered pixel counts.
27. (original) The system of Claim 26 wherein said logic step further comprises displaying stuttered pixels overlaid on said image.